

REMARKS

Claim 2 has been amended. Claims 1-16 remain in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

In accordance with the Examiner's indication, claim 2 has been amended to delete "librarial" and insert therefor "library administration".

Claims 1-16 were rejected under 35 U.S.C. 102(b) as being anticipated by Abbott. Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott in view of Mcilwaine. The Examiner stated:

With respect to claim 1, Abbott discloses a method comprising: . . . validating comprehension of the educational material by the end-user (page 9, sections [0196] - [0197], "When the customer selects "Proceed to Test", the test associated with the video will be displayed. The rules for standard CE articles including testing, re-testing and application to transcript all apply here.", wherein "TEST" is analogous to "VALIDATING COMPREHENSION OF EDUCATIONAL MATERIAL"); and providing notification to a third-party of the delivery of the educational material to the end-user and the comprehension of the educational material by the end-user (Figure 15 discloses providing notification of comprehension; page 1, section [0015], "In brief, the invention's unique services allow ...approving their licensure or certification.", wherein "LICENSURE OR CERTIFICATION" are analogous to "NOTIFICATION OF COMPREHENSION")."

These rejections are respectfully traversed.

The present invention, as defined by representative claim 1, is directed to a method comprising a number of steps in combination. The claimed combination includes the steps of validating comprehension of the educational material by the end-user, and providing notification to a third-party of (a) the delivery of the educational material to the end-user and (b) the comprehension of the educational material by the end-user.

As shown in Fig. 2f of the present application, for example, a system in accordance with the present invention grades a questionnaire and informs the user if they have passed or failed. As shown in Figure 7 of the present application, after listening to a Module, the user is prompted by the system to correctly answer a simple question about the content of the Module as a certification confirmation that the user took the module. The user is required to select the correct answer.

The claimed system thereby does more than merely provide the end user with material for a test. The claimed system additionally validates that the end user comprehends the educational

material, i.e., the system establishes the soundness of the user's comprehension and confirms that the end user has understood the material provided. The system further provides notification to a third-party that the education material was not only delivered to the end-user, but that the end-user has comprehended the educational material.

In clear contrast to the claimed invention, Abbott discloses (at paragraphs 0197 and 0205) a system which merely enables a user to select a test for which the rules for standard CE articles (including testing, re-testing and application to transcript) all apply. When the user completes the test the user may proceed to the next test.

Abbott thereby discloses a system for "testing," i.e. a system for posing a series of questions or problems designed to determine knowledge or ability. Abbott fails to disclose or suggest a system for "validating" comprehension of the educational material by the end-user, i.e. a system to establish the soundness of the user's comprehension or to corroborate that the user understands the material provided. There is no teaching or suggestion in Abbott of a system that grades a questionnaire and informs the user if they have passed or failed. There is no teaching or suggestion in Abbott of a system in which, after listening to a Module, the user is prompted by the system to correctly answer a simple question about the content of the Module as a certification confirmation that the user took the module. There is no teaching or suggestion in Abbott of a system including the steps of validating comprehension of the educational material by the end-user, and providing notification to a third-party of (a) the delivery of the educational material to the end-user and (b) the comprehension of the educational material by the end-user.

The fundamental deficiencies in Abbott are not compensated by the additional reference of Mcilwaine. Neither Abbott nor Mcilwaine, alone or in combination, disclose or suggest a system including the steps of validating comprehension of the educational material by the end-user, and providing notification to a third-party of (a) the delivery of the educational material to the end-user and (b) the comprehension of the educational material by the end-user.


In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 533902000400.

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Respectfully submitted,

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